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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,265	11/05/2001	Brian R. Beams	05222.00181	2519

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EXAMINER

LIN, WEN TAI

ART UNIT PAPER NUMBER

2154

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,265

Applicant(s)

BEAMS ET AL.

Examiner

Wen-Tai Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/5/2001 and 2/14/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-19 and 21-22 is/are rejected.
- 7) ☒ Claim(s) 8,9 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/14/2002
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-22 are presented for examination.
2. Claims 10-11 and 21-22 are objected to because the term "the help engine" appears to lack antecedent basis in claims 10 and 21.
3. Applicant is notified that a number of IDS items are not entered because they do not contain valid date, as required by 37 C.F.R. 1.98. Applicant is reminded to fill in valid dates to those items that have been crossed out for further confirmation.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-3, 10, 12-15 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Lannert et al.[U.S. Pat. No. 6073127].

6. As to claims 1 and 12-13, Lannert teaches the invention as claimed including: a method for establishing a collaborative training session for a plurality of users [col.103, lines 2-29], comprising the steps of:

(a) receiving information indicative of a goal [Abstract: lines 1-3];

(b) prompting the users to enter a response congruent with the goal [Abstract: lines 8-12];

(c) receiving the response to the goal;

(d) providing at least one user with feedback from at least one other user, wherein the feedback is designed to assist the at least one user to achieve the goal [Abstract: lines 12-15; col.43, lines 50-67]; and

(e) invoking a chat room to assist the users in achieving the goal [Abstract: lines 19-22].

[See also Summary of the Invention: col.1, line 63 – col.2, line 18]

7. As to claims 2 and 14, Lannert further teaches that the step of calculating a level of congruency between the response and a target response designed to achieve the goal [e.g., col.28, lines 40-48; i.e., the user's answers are graded to indicate its correctness].

8. As to claims 3 and 15, Lannert further teaches that the level of congruency is calculated by a virtual director engine [col.28, lines 14-29; e.g., a student's deliverables are analyzed by ICAT and the associated coach or tutor].

9. As to claims 10 and 21, Lannert further teaches that the help includes a notification of the virtual director engine [col.32, lines 45-47; col.33, lines 11-17].

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-7, 11, 16-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lannert et al.(hereafter "Lannert")[U.S. Pat. No. 6073127], as applied to claims 1-3, 10 and 12-15 above.

12. As to claims 4 and 16, Lannert does not specifically teach that the virtual director engine [i.e., the ICAT engine] is resident on a plurality of servers which are coupled to a computer network.

However, it is well known in the art to have identical software running at mirror sites or residing on a plurality of servers for reducing traffic and improving computational speed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make Lannert's ICAT residing on a plurality of on a plurality of servers because Lannert's ICAT needs to capture real time activities of students as they go through the course [col.29, lines 10-13].

13. As to claims 5-7 and 17-19, Lannert further teaches that the computer network supports Internet Protocol (IP) [col.2, lines 14-18], which obviously covers users on a LAN or WAN].

14. As to claims 11 and 22, Lannert does not specifically teach that the virtual director engine [i.e., the process carrying out ICAT] includes a domain expert engine. However, Lannert teaches that domain expert has knowledge of the domain or field of use of the expert system [col.1, lines 14-28], it is obvious that domain expert systems should be included in the ICAT, because the latter needs the kind of special knowledge to implement intelligent coaching in various fields.

15. Claims 8-9 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ho et al. [U.S. Pat. No. 6160987];

Ziv-El [U.S. Pat. No. 5263869];

Bell et al. [U.S. Pat. No. 6014134];

Eisendrath et al. [U.S. Pat. No. 6347333];

Bertrand et al. [U.S. Pat. No. 6493690]; and

Monte et al. [U.S. Pat. No. 5183398].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (703)305-4875. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

(703)746-5516 for status inquiries draft communication.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

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Wen-Tai Lin

September 15, 2004

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Allen Jan Li
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